



BILLING CODE: 4510-26-P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2007-0043]

TUV SUD America, Inc.: Applications for Expansion of Recognition and Proposed Modification to the NRTL Program's List of Appropriate Test Standards

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the applications of TUV SUD America, Inc. (TUVAM) for expansion of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the applications. Additionally, OSHA proposes to add one additional test standard to the NRTL Program's List of Appropriate Test Standards.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Submit comments by any of the following methods:

Electronically: You may submit comments and attachments electronically at: <https://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

Docket: To read or download comments or other material in the docket, go to <http://www.regulations.gov>. Documents in the docket are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the

OSHA Docket Office. Contact the OSHA Docket Office for assistance in locating docket submissions.

Instructions: All submissions must include the agency name and the OSHA docket number for this *Federal Register* notice (OSHA-2007-0043). OSHA will place comments and requests to speak, including personal information, in the public docket, which may be available online. Therefore, OSHA cautions interested parties about submitting personal information such as Social Security numbers and birthdates. For further information on submitting comments, see the “Public Participation” heading in the section of this notice titled “**SUPPLEMENTARY INFORMATION.**”

Extension of comment period: Submit requests for an extension of the comment period on or before [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW, Room N-3655, Washington, DC 20210, or by fax to (202) 693-1644.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor by phone (202) 693-1999 or email meilinger.francis2@dol.gov.

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor by phone (202) 693-2110 or email robinson.kevin@dol.gov.

SUPPLEMENTARY INFORMATION:

I. Notice of the Applications for Expansion

OSHA is providing notice that TUV SUD America, Inc. (TUVAM) is applying for expansion of the current recognition as a NRTL. TUVAM requests the addition of eighteen test standards to their NRTL scope of recognition.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified in 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within its scope of recognition. Each NRTL's scope of recognition includes (1) the type of products the NRTL may test, with each type specified by its applicable test standard; and (2) the recognized site(s) that has/have the technical capability to perform the product-testing and product-certification activities for test standards within the NRTL's scope. Recognition is not a delegation or grant of government authority; however, recognition enables employers to use products approved by the NRTL to meet OSHA standards that require product testing and certification.

The agency processes an application by a NRTL for initial recognition and for an expansion or renewal of this recognition, following requirements in Appendix A, 29 CFR 1910.7. This appendix requires that the agency publish two notices in the *Federal Register* in processing an application. In the first notice, OSHA announces the application and provides its preliminary finding. In the second notice, the agency provides the final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational webpage for each NRTL, including TUVAM, which details the NRTL's scope of recognition. These pages are available from the OSHA website at:

<http://www.osha.gov/dts/otpca/nrtl/index.html>.

TUVAM currently has seven facilities (sites) recognized by OSHA for product testing and certification, with its headquarters located at: TUV SUD America, Inc., 401 Edgewater Place, Suite #500 Wakefield, Massachusetts 01880. A complete list of

TUVAM's scope of recognition (including sites) recognized by OSHA is available at:

<https://www.osha.gov/dts/otpca/nrtl/tuvam.html>.

II. General Background on the Applications

TUVAM submitted an application, dated June 8, 2020 (OSHA-2007-0043-0036), to expand their recognition to include six additional test standards. OSHA staff performed detailed analysis of the application packet and reviewed other pertinent information.

OSHA did not perform any on-site reviews in relation to this application. Additionally, TUVAM submitted an application on May 19, 2015 (OSHA-2007-0043-0020) to expand their recognition to include two additional recognized test sites and twelve additional test standards. Due to an error, OSHA published preliminary and final *Federal Register* notices (82 FR 13143, March 9, 2017; 82 FR 28359, June 21, 2017) announcing the application and grant of expansion for the two recognized test sites, but not the twelve test standards. Those twelve standards are included in this notice. The expansion announced in this notice will cover eighteen standards, including one which OSHA proposes to add to the NRTL Program's List of Appropriate Test Standards.

Table 1 below lists the appropriate test standards found in TUVAM's applications for expansion for testing and certification of products under the NRTL Program.

Table 1

Proposed List of Appropriate Test Standards for Inclusion in

TUVAM's NRTL Scope of Recognition

Test Standard	Test Standard Title
*UL 347A	Medium Voltage Power Conversion Equipment
UL 1004-1	Rotating Electrical Machines – General Requirements
UL 2594	Standard for Electric Vehicle Supply Management
UL 61010-2-030	Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use – Part 2-030: Particular Requirements for Testing and Measuring Circuits
UL 61010-2-81	Standard for Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use – Part 2-081: Particular Requirements for Automatic and Semi-Automatic Laboratory Equipment for Analysis and Other Purposes

Test Standard	Test Standard Title
UL 61010-2-101	Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use – Part 2-101: Particular Requirements for In Vitro Diagnostic (IVD) Medical Equipment
UL 122	Photographic Equipment
UL 153	Portable Electric Luminaires
UL 429	Electrically Operated Valves
UL 1776	High-Pressure Cleaning Machines
UL 60730-1A	Automatic Electrical Controls for Household and Similar Use; Part 1: General Requirements
UL 60730-2-7	Automatic Electrical Controls for Household and Similar Use; Part 2: Particular Requirements for Timers and Time Switches
UL 60730-2-10A	Automatic Electrical Controls for Household and Similar Use; Part 2: Particular Requirements for Motor Starting Relays
UL 60730-2-11A	Automatic Electrical Controls for Household and Similar Use; Part 2: Particular Requirements for Energy Regulators
UL 60730-2-12A	Automatic Electrical Controls for Household and Similar Use; Part 2: Particular Requirements for Electrically Operated Door Locks
UL 60730-2-13A	Automatic Electrical Controls for Household and Similar Use; Part 2: Particular Requirements for Humidity Sensing Controls
UL 60730-2-14	Automatic Electrical Controls for Household and Similar Use; Part 2: Particular Requirements for Electric Actuators
UL 60730-2-16A	Automatic Electrical Controls for Household and Similar Use; Part 2: Particular Requirements for Automatic Electrical Water Level Controls

*Represents Test Standard new to the NRTL Program

III. Proposal to Add New Test Standards to the NRTL Program’s List of Appropriate Test Standards

Periodically, OSHA will propose to add new test standards to the NRTL list of appropriate test standards following an evaluation of the test standard document. To qualify as an appropriate test standard, the agency evaluates the document to: (1) verify it represents a product category for which OSHA requires certification by a NRTL; (2) verify the document represents a product and not a component; and (3) verify the document defines safety test specifications (not installation or operational performance specifications). OSHA becomes aware of new test standards through various avenues. For example, OSHA may become aware of new test standards by: (1) monitoring notifications issued by certain Standards Development Organizations; (2) reviewing

applications by NRTLs or applicants seeking recognition to include new test standard in their scopes of recognition; and (3) obtaining notification from manufacturers, manufacturing organizations, government agencies, or other parties. OSHA may determine to include a new test standard in the list, for example, if the test standard is for a particular type of product that another test standard also covers or it covers a type of product that no standard previously covered.

In this notice, OSHA proposes to add one new test standard to the NRTL Program's list of appropriate test standards. Table 2, below, lists the test standard that is new to the NRTL Program. OSHA preliminarily determined that this test standard is appropriate and proposes to include it in the NRTL Program's list of appropriate test standards. OSHA seeks public comment on this preliminary determination.

Table 2
Standard OSHA Is Proposing to Add to the NRTL Program's
List of Appropriate Test Standards

Test Standard	Test Standard Title
UL 347A	Medium Voltage Power Conversion Equipment

III. Preliminary Findings on the Applications

TUVAM submitted acceptable applications for expansion of the NRTL scope of recognition. OSHA's review of the application files, and pertinent documentation, indicate that TUVAM can meet the requirements prescribed by 29 CFR 1910.7 for expanding their recognition to include the addition of the eighteen test standards for NRTL testing and certification listed above. This preliminary finding does not constitute an interim or temporary approval of TUVAM's applications.

OSHA welcomes public comment as to whether TUVAM meets the requirements of 29 CFR 1910.7 for expansion of their recognition as a NRTL. Comments should consist of pertinent written documents and exhibits. Commenters needing more time to

comment must submit a request in writing, stating the reasons for the request.

Commenters must submit the written request for an extension by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer period. OSHA may deny a request for an extension if the request is not adequately justified. To obtain or review copies of the exhibits identified in this notice, as well as comments submitted to the docket, contact the Docket Office, at the above address. These materials also are available online at <http://www.regulations.gov> under Docket No.OSHA-2007-0043.

OSHA staff will review all comments to the docket submitted in a timely manner and, after addressing the issues raised by these comments, will make a recommendation to the Assistant Secretary for Occupational Safety and Health as to whether to grant TUVAM's applications for expansion of the scope of recognition. The Assistant Secretary will make the final decision on granting the applications. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of its final decision in the *Federal Register*.

IV. Authority and Signature

James S. Frederick, Acting Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue, NW, Washington, DC 20210, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to Section 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8-2020 (85 FR 58393; Sept. 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC, on June 25, 2021.

James S. Frederick,
Acting Assistant Secretary of Labor for Occupational Safety and Health.

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